

STATE OF NEVADA
LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, LOCAL 14, AFL-CIO,
Petitioner,

vs.

CLARK COUNTY SCHOOL DISTRICT and
EDUCATION SUPPORT EMPLOYEES
ASSOCIATION
Respondents.

ITEM NO. 520A

CASE NO. A1-045735

ORDER

For Complainant: Lewis N. Levy, Esq.
Levy, Stern & Ford

For Respondent: C.W. Hoffman, Esq.
Clark County School District

Sandra G. Lawrence, Esq.
Dyer, Lawrence, Cooney & Penrose

On January 29, 2002, Petitioner INTERNATIONAL BROTHERHOOD OF TEAMSTERS, LOCAL 14, AFL-CIO (hereafter "Teamsters") filed an Application for Order Convening an Administrative Hearing for the Purpose of Determining Whether to Conduct an Election Pursuant to NRS 288.160, NAC 288.145 and NAC 288.146(1) and (2) with the Local Government Employee-Management Relations Board (hereafter "Board"). Respondent CLARK COUNTY SCHOOL DISTRICT (hereafter "District") filed their answer on February 20, 2002.

On May 1, 2002, Respondent EDUCATION SUPPORT EMPLOYEES ASSOCIATION (hereafter "Association") filed a Petition for Reconsideration, or in the Alternative, Clarification of the Order Denying Motion to Dismiss. An opposition was filed on May 13, 2002, by Teamsters.

On May 10, 2002, the Association filed an Answer and Counterclaim. On May 31, 2002, Teamsters filed a Motion to Dismiss Counterclaim and on May 24, 2002, the District filed a Motion to Dismiss Portions of the Counterclaim.

1 The Board deliberated on said motions and petition on June 18, 2002, noticed in
2 accordance with Nevada's Open Meeting Law. Based upon Respondent's request,

3 IT IS HEREBY ORDERED that the Petition for Reconsideration is denied. Learned
4 counsel's attention is directed to NRS 288.090(1) that two members equal a quorum and NRS
5 233B.125 requires findings of fact and conclusions of law only in a final order; the order
6 complained of by the Association is merely an interlocutory order without such formal
7 requirements.

8 IT IS FURTHER ORDERED that the motions filed by the Teamsters and the District are
9 hereby denied as to the third cause of action in the Association's counterclaim, but granted as to
10 the first and second causes of action of the counterclaim.

11 DATED this 18th day of June, 2002.

12 LOCAL GOVERNMENT EMPLOYEE-
13 MANAGEMENT RELATIONS BOARD

14 BY: 

15 JOHN E. DICKS, ESQ., Chairman

16 BY: 

17 JANET TROST, ESQ., Member
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